

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

In re: Charles Edward Alexander,  
Debtor.

Case No. 20-34722-KLP  
Chapter 13

**ORDER TO SHOW CAUSE**

Debtor Charles Edward Alexander (the “Debtor”) filed this chapter 13 case on November 30, 2020. On the Debtor’s schedules, he listed as an asset a 2008 Chevy Malibu automobile (the “Vehicle”), noting in Schedule D that Tatum’s Body Shop held a lien on the Vehicle. On December 18, 2020, the Debtor filed a motion (the “Motion”) alleging that on December 15, 2020, despite having knowledge of the filing of the Debtor’s bankruptcy case, David Tatum d/b/a Tatum’s Paint and Body Shop (“Tatum”) caused the Vehicle to be repossessed, in violation of the automatic stay of the Bankruptcy Code, 11 U.S.C. § 362. In the Motion, the Debtor requested that Tatum be required to turn over the Vehicle and that the Court find Tatum’s actions in repossessing the Vehicle were a violation of the automatic stay and constituted civil contempt. The Debtor asked the Court to order Tatum to turn over the Vehicle to the Debtor and to award him actual and punitive damages, plus attorneys fees. The Debtor also moved for an expedited hearing on the Motion. Tatum filed a response to the Motion, alleging, among other things, that the Debtor obtained the Vehicle from him by purchasing it with a check drawn on a nonexistent bank account

The Court held a hearing on the Motion December 22, 2020. The Debtor appeared through counsel at the hearing. Tatum did not appear at the hearing. At

the hearing, the Court granted the motion for an expedited hearing but continued the hearing until January 6, 2021, to enable Tatum to appear. Therefore,

IT IS ORDERED that David Tatum d/b/a Tatum's Paint and Body Shop and his counsel both appear at the continued hearing on the Motion that will be held on Wednesday, January 6, 2021, at 10:00 a.m., and show cause why Tatum should not be held in civil contempt for causing the postpetition repossession of the Vehicle in violation of the automatic stay of § 362 of the Bankruptcy Code.

The parties should consult the Court's website at [www.vaeb.uscourts.gov](http://www.vaeb.uscourts.gov) for instructions on how to attend this hearing, which will be conducted remotely. Any additional questions about the procedure to attend this Wednesday hearing may be directed to the office of the Clerk.

Signed: December 22, 2020

/s/ Keith L. Phillips  
United States Bankruptcy Judge

Copies:

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Entered on Docket: December 22, 2020

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